

REMARKS

This Amendment responds to the Office Action mailed December 30, 2003 (“the Office Action”). In the Office Action, the Examiner rejected claims 1-139 under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 5,917,405 to Joao (“Joao”). In response, independent claims 1, 27, 75, 100, 112, 120, 123, 124, 130, and 137 have been amended. The above amendments do not represent acquiescence in the Examiner’s rejections, but rather have been made to expedite the prosecution of the present application. Applicants reserve the right to pursue the original claims in, for example, one or more continuation applications. Claims 1-139 will be pending upon entry of this Amendment. Reconsideration of this application is respectfully requested in view of the amendments above and the remarks below.

Information Disclosure Statement

The Examiner objected to references AM-AR and AT in the Information Disclosure statement submitted on September 23, 2003 as failing to state a publication date. The dates of these publications are unknown.

Claim Rejections

Joao discloses a home equipment system that “may also include monitoring device(s) for reading and/or monitoring the home fuel supply, gas meter and/or gas usage, water supply, water meter and/or water usage, electrical generator and/or alternator operation, electricity meter and/or electricity usage, heat and/or air conditioning usage, gas and/or oil or other fuel supply and/or usage, telephone usage, appliance usage, etc., a home control system and/or any other home operation and/or system function.” (Joao at col. 12, lines 48-56.) Thus, Joao discloses a monitoring device for home heating systems such as natural gas and fuel oil.

Independent claims 1, 27, 100, 120, 123, 124, 130, and 137 recite a medical gas alarm system which delivers a plurality of medical gases to a plurality of locations in the healthcare

facility. Joao does not disclose a medical gas alarm system which delivers a plurality of medical gases to a plurality of locations in the healthcare facility. It is respectfully submitted that the claims as amended would not be obvious in light of Joao because Joao fails to suggest the desirability of creating an alarm system for monitoring medical gas delivery systems which is required for a prima facie obviousness rejection. In re Oetiker, 977 F.2d 1443, 1447 (Fed. Cir. 1992). Accordingly, it is respectfully requested that the obviousness rejection of claims 1, 27, 100, 120, 123, 124, 130, and 137 and the claims that depend thereon be withdrawn.

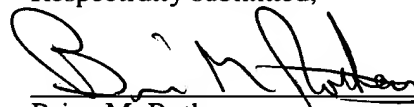
Independent claims 75, 100, and 112 recite a medical gas alarm system having a plurality of sensors. Joao does not disclose a medical gas alarm system with a plurality of sensors. Thus, it is submitted that Joao does not disclose, suggest, or teach utilizing a plurality of sensors in a medical gas system. Accordingly, it is respectfully requested that the obviousness rejection of claims 75, 100, and 112 and the claims that depend thereon be withdrawn.

In light of the above amendments and remarks, Applicants respectfully request that the Examiner consider all claims with a view towards allowance. The Examiner is invited to call the undersigned attorney, if a telephone call could help resolve any remaining items.

A separate petition for an extension of time is attached. Should any additional fees be required, please charge such fees to Jones Day deposit account no. 50-3013.

Date: June 30, 2004

Respectfully submitted,



Brian M. Rothery
JONES DAY
222 East 41st Street
New York, New York 10017
(212) 326-3939

35,340
(Reg. No.)